

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION

NORA O. LITTLEJOHN, an individual,	§	
Plaintiff,	§	
	§	
v.	§	CASE NO. <u>4:16-cv-00084</u>
	§	
THE GEO GROUP, INC. and	§	
REEVES COUNTY DETENTION	§	
CENTER I & II,	§	
Defendants	§	

NOTICE OF REMOVAL

TO: Plaintiff, Nora O. Littlejohn, by and through counsel, Gerald K. Fugit, Gerald K. Fugit, P.C.,
412 N. Texas Avenue, Odessa, Texas 79761.

Please take notice that on October 26, 2016, Defendants The GEO Group, Inc. and Reeves County Detention Center I & II, filed in the United States District Court for the Western District of Texas, Pecos Division, a Notice for the removal of the above-entitled cause of action from the 143rd Judicial District Court of Pecos County, Texas.

I.

This action was commenced against Defendants in the District Court for the 143rd Judicial District, Reeves County, Texas, by the above-named Plaintiff on September 19, 2016. Defendant Reeves County Detention Center I & II was served with Plaintiff's Original Petition on September 27, 2016 and Defendant The GEO Group, Inc. was served with Plaintiff's Original Petition on October 4, 2016, in which federal causes of action were pled, and this Notice of Removal is timely filed within thirty days of those dates. Defendants The GEO Group, Inc. and Reeves County Detention Center I & II have consented to the removal of this case to the United States District Court

for the Western District of Texas, Pecos Division and this Notice of Removal is timely filed within thirty days of the date this case became removable.

II.

Defendants state that this action is of a civil nature, of which the district courts of the United States have original jurisdiction under the provision of 28 U.S.C. § 1331 and which may be removed to this Court by Defendants pursuant to 28 U.S.C. § 1441(a) in that it alleges claims under federal law. As clearly appears on the face of Plaintiff's Original Petition, filed with the state district court on September 19, 2016 and served on Defendant Reeves County Detention Center I & II on September 27, 2016 and served on Defendant The GEO Group, Inc. on October 4, 2016, this action arises under the laws of the United States. Specifically, Plaintiff brings this cause for damages for alleged retaliation under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* (Plaintiff's Original Petition, pp. 10-12, § V.). The federal cause of action asserted by Plaintiff confers federal question jurisdiction and provides grounds for removal to federal court.

III.

Defendant Reeves County Detention Center I & II was served with Plaintiff's Original Petition on September 27, 2016 and Defendant The GEO Group, Inc. was served with Plaintiff's Original Petition on October 4, 2016, in which federal causes of action were pled, thus conferring federal question jurisdiction over this Court. Specifically, as noted above, Plaintiff brings this cause for damages for alleged retaliation under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* (Plaintiff's Original Petition, pp. 10-12, § V.). Such claims confer federal question jurisdiction and provide grounds for removal to federal court. This Notice of Removal is timely filed within thirty days of the date that a federal cause of action was first asserted by Plaintiff and this case

first became removable. Attached hereto is a copy of the complete state court record, including all pleadings and other documents which are contained in the state court's file, all executed process in this case, the pleadings asserting causes of action, all orders signed by the state judge, and the state court docket sheet. An index of documents filed in the state court prior to removal and the documents themselves are attached to this Notice of Removal.

IV.

A list of all counsel of record, including addresses, telephone numbers and parties represented follows.

Attorney for Plaintiff Nora O. Littlejohn:

Gerald K. Fugit
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Attorney for Defendants The GEO Group, Inc. and
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Bridget Robinson
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V.

Defendants consent to removal and are filing this Notice within the thirty day limit from the time this case became removable. ACCORDINGLY, Defendants pray that this cause be removed to the United States District Court for the Western District of Texas, Pecos Division.

Respectfully submitted,

/s/Bridget Robinson

BRIDGET ROBINSON

State Bar No. 17086800

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of October, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and that a true and correct copy of the foregoing was served upon counsel of record via United States mail, certified, return receipt requested, as follows

Gerald K. Fugit
GERALD K. FUGIT, P.C.
412 N. Texas Avenue
Odessa, Texas 79761

/s/Bridget Robinson

Bridget Robinson